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PTO/SB/25 (08-03)

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REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)
5235

In re Application of: Cates et al.
Application No.: 10/044,171
Filed: October 22, 2001
For: Coated Textile Substrate for Image Printing

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TC 1700

The owner, Milliken & Co., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/044,414, filed on 10-22-01, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record.

10/30/2003 KBETEM1 00000028 040500 10044171
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Terry T. Moyer Oct. 27, 2003
Signature Date

Terry T. Moyer, Vice President and
Typed or printed name Senior Counsel

(864) 503-1600

Telephone Number

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.
The Commissioner is hereby authorized to deduct the Terminal Disclaimer fee from our Deposit Account No. 04-0500.
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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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Serial No.: 10/044,171
Inventor(s): Cates et al.

U.S. PTO Customer No. 25280
Case No.: 5235

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TC 1700

Application of: Cates et al.
Serial Number: 10/044,171
Filed: October 22, 2001
For: **Coated Textile Substrate for Image Printing**
Group Art Unit: 1774
Examiner: Grendzynski, Michael E.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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Signature: Kerry A. Lawter

STATEMENT UNDER 37 CFR § 3.73(b)

Milliken & Company states that it is the Assignee of the entire right, title, and interest in the patent application-patent identified above by virtue of an Assignment from the inventors Elizabeth Cates, Daniel McBride, William Kimbrell, and Kirkland, which is recorded in the Patent and Trademark Office at Reel 012680, Frame 0080, for which a copy thereof is attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Terry T. Moyer
Vice President and Senior General Counsel
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